

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TEXAS
WACO DIVISION**

UNITED STATES DEPARTMENT OF
DEFENSE, et al.,

Plaintiffs,

v.

AMERICAN FEDERATION OF
GOVERNMENT EMPLOYEES, AFL-CIO,
DISTRICT 10, et al.,

Defendants.

No. 6:25-CV-00119-ADA

NOTICE TO COURT

Plaintiffs respectfully submit this notice of further development regarding a case mentioned in their Opposition to Defendants' Motion to Dismiss, ECF No. 47. In footnote 1 of that opposition brief, *id.* at 4 n.1, Plaintiffs noted that the government had appealed to the D.C. Circuit from the District Court for the District of Columbia's preliminary injunction entered in *National Treasury Employees Union v. Trump*, No. 25-cv-935 (D.D.C.), and had filed in the court of appeals an emergency motion for an immediate administrative stay and stay pending appeal, which was pending at that time. On May 16, 2025, the D.C. Circuit granted that motion and stayed the preliminary injunction pending appeal. *Nat'l Treasury Emps. Union v. Trump*, No. 25-5157, 2025 WL 1441563, at *1 (D.C. Cir. May 16, 2025). The D.C. Circuit held that the government is likely to prevail in its appeal of the district court's preliminary injunction because the plaintiff union in that case had failed to establish irreparable harm.¹ *Id.*

¹ The union in that case has filed a petition for rehearing en banc of the stay pending appeal. The government's response is due June 17.

Dated: June 6, 2025

Respectfully submitted,

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Certificate of Service

I certify that on June 6, 2025, I served the foregoing *Notice to Court* via the Court's CM/ECF system upon Defendants via their counsel as follows:

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